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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Zhiwu Liu

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10/30/2002

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EXAMINER

WHITMORE, STACY

ART UNIT

PAPER NUMBER

2812

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/589,919	LIU, ZHIWU	
	Examiner	Art Unit	
	Stacy A Whitmore	2812	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. The prior rejections of record are respectfully maintained.
3. Claims 1-4, 6-16, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (hereinafter referred to as AAPA).
4. As for claims 1 and 13, AAPA taught the invention as claimed, including an apparatus comprising:

a circuit comprising [means for] one or more inputs configured to provide a selected device ID from one of a plurality of different device ID's, wherein said one or more inputs allow said circuit to be implemented with said selected one of said plurality of different device ID's [pg. 1, lines 11-20; the ID code register implements the selection of a device ID from a plurality of different device IDs].
5. As for claim 2, AAPA taught said selected device ID comprises a soft code [pg. 1, line 16].
6. As for claim 3, AAPA taught the circuit comprises a JTAG compliant controller [pg. 1 – pg. 3, line 17].
7. As for claim 4, AAPA taught wherein each of said plurality of different device ID's each provide a configuration of said circuit [pg. 1 – pg. 3, line 17].
8. As for claim 6, AAPA further taught

a logic circuit configured to receive one or more inputs [pg. 1 – pg. 3, line 17, and fig. 1];
a multiplexer configured to receive an output of said logic circuit [pg. 1 – pg. 3, line 17, and fig. 1]; and
a memory element configured to receive an output of said multiplexer [pg. 1 – pg. 3, line 17, and fig. 1].

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9. As for claim, 7, AAPA taught the multiplexer is configured to receive an input signal and a shift signal [pg. 1 – pg. 3, line 17, and fig. 1, especially element 22].
10. As for claim 8, AAPA taught said logic circuit comprises a logic gate [pg. 1 – pg. 3, line 17, and fig. 1, especially pg. 2, line 4].
11. As for claim 9, AAPA taught said circuit is implemented with a FIFO memory [pg. 1 – pg. 3, line 17, and fig. 1].
12. As for claim 10, AAPA taught said one or more inputs comprise mark options [pg. 3].
13. As for claim 11, AAPA taught said one or more inputs comprise configuration input pins [pgs. 1-3].
14. As for claim 12, AAPA taught said circuit comprises a JTAG device compliant with the IEEE standard 1149.1 [pgs. 1-3].
15. As for claim 14, AAPA taught a method for multiple device ID's comprising the steps of:
 - receiving one or more inputs [pgs. 1-3];
 - selecting a device ID from a plurality of different device IDs, wherein said one or more inputs allow implementation of said selected device ID [pgs. 1-3].
16. Claims 15-16, and 18-20, have similar limitations as claims 2,4, and 10-12, and are rejected for the same reasons as cited in the rejections of claims 2,4, and 10-12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 5, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA as applied to claims 1, 6, and 14 above, and further in view of Swoboda (5,828,824) or Carmichael (6,308,311).

18. As for claims 5, and 17, AAPA taught the apparatus and method of multiple device IDs as cited above in the rejections of claims 1, 6, and 14. AAPA did not specifically teach wherein the selected device ID can be configured after fabrication (of said apparatus). However, Swoboda taught the device ID can be configured after fabrication [abstract, fig. 2, col. 4, line 65 – col. 5, line 8, col. 6, line 24]. Further more Carmichael taught the device ID can be configured after fabrication [col. 2, line 66 – col. 4, especially col. 4, lines 7-23]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of (AAPA and Swoboda) or (AAPA and Carmichael) because configuring the device ID after fabrication would enable convenient test and or device reconfiguration which would enable better testing facilities or communications with a host system [see Swoboda, col. 6, and Carmichael, col. 4].

19. Applicant's arguments filed 8/20/02 have been fully considered but they are not persuasive.

In the remarks, applicant argues in substance:

A: AAPA does not disclose multiple configurations of a device ID.

B: AAPA did not disclose selecting a device identification from one of a plurality of different device IDs.

C: Carmichael or Swoboda do not disclose or suggest configuring a selected device ID after fabrication of the apparatus.

The examiner respectfully disagrees with applicant for the following reasons:

As to point A: The claimed limitations do not include multiple configurations of a device ID. Therefore the argument is moot.

As to point B: AAPA disclosed selecting a device identification from one of a plurality of different device IDs [pg. 1, lines 11-20; the ID code register of the IEEE 1149.1 standard incorporated by reference implements the selection of a device ID from a plurality of different device IDs; see also for support of the incorporated Swoboda (5,828,824), col. 6, lines 65-67].

As to point C: Carmichael or Swoboda do not disclose or suggest configuring a selected device ID after fabrication of the apparatus [see Swoboda, abstract, and also as cited in the rejection of claims 5, and 17; see Carmichael as cited in the rejection of claims 5 and 17, and also especially col. 4, lines 7-9, and 16-19).

20. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stacy A Whitmore whose telephone number is (703) 305-0565. The examiner can normally be reached on Monday-Thursday, alternate Friday 6:30am - 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling can be reached on (703) 308-3325. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stacy A Whitmore

Examiner

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SW

October 28, 2002



John F. Niebling
Supervisory Patent Examiner
Technology Center 2800